



State of the Court Report

MONTGOMERY COUNTY CIRCUIT COURT

MONTGOMERY COUNTY CIRCUIT COURT | 50 Maryland Avenue, Rockville, Maryland 20850

Please accept Montgomery County Circuit Court's 2021 State of the Court Report. The Court understands the valuable nature of the information contained herein. The report was completed by the Court's leadership team – Administrative Judge, Clerk of the Court, and Court Administrator, who maintain ongoing dialog on the initiatives and activities highlighted in this report. The Court looks forward to discussion and collaboration with the Maryland Judiciary on these and other initiatives to ensure the effective and efficient administration of justice not only in the Circuit Court for Montgomery County but statewide.

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Section I. Identifying Information/Operations

- a. Montgomery County Circuit Court
- b. Montgomery County/Rockville
- c. Circuit Court
- d. Fiscal Year (FY) 2021
- e. September 30, 2021
- f. Staffing

Judges and Magistrates: 29 (Full-Time – 28, Part-Time – 1)

Judges – 24 on the bench including Administrative Judge

Family Magistrates – 5 (Full-Time – 4, Part-Time – 1)

Clerk of the Court: 200 (Full-time - 194, Temporary - 5, Contractual - 1)

Department	Full-Time	Temporary	Contractual	Total
Clerk of the Court (including six (6) Staff Spanish Interpreters)	12			12
Support Services (formerly Central Files and Exhibits)	9	2		11
Civil Department	31		1	32
Courtroom Clerks Department	35	3		38
Criminal Department	17			17
Family Department	35			35
Finance Department	5			5
Juvenile Department	14			14
Land Records/License (non-judicial)	36			36
Total	194	5	1	200

Court Administration: 128 (Full-Time - 124, Part-Time - 4)*

	Full-Time	Part-Time	Total
Court Administration	4		4
Special Magistrates	2		2
Administrative Aides	2		2
Assignment Office	15		15
Data Processing & Quality Control	7		7
DCM	1		1
Family Division Services (including 21 grant-funded)	34	1	35
Family Magistrate Staff	6		6
Judicial Assistants	24		24
Jury Office	4		4
Law Library	2	2	4
Problem Solving Courts (including 2 grant-funded)	3		3
Research & Performance (Partially grant-funded)	2		2
Senior Judges' Administrative Aide	2		2
Technical Services	14		14
Trust Office	2	1	3
Total	124	4	128

Note: Contractual employees are not included.

Section II. Background

Montgomery County Circuit Court holds the principles of fair, efficient, and effective justice for all under the leadership of the newly-appointed Administrative Judge, Hon. James A. Bonifant. The Court strives daily to ensure accessibility to the public and efficient and innovative case processing to minimize delay for patrons. The Court regularly reviews its caseload, workload, and case processing performance to identify external and internal factors that may impact the administration of justice using such measures as its monthly caseload metrics. With direct access to data tables extracted from the Court's case management system, the Court's technical and research personnel perform various ad-hoc analyses without delay to respond to inquiries from the leadership/management on court operations, calendaring/docket management and case processing performance/management. The Court believes that this analytical flexibility enables its leadership to apply data-driven decisions to the issues that the Court faces timely and objectively.¹

Original Filings, Terminations and Clearance Rates

During Fiscal Year (FY) 2021, Montgomery County Circuit Court processed close to 23,400 case filings and approximately 24,300 terminations (original and reopened). Compared with the FY19 (pre-COVID) level, filings and terminations are down by 23% and 19%, respectively. Table 1 provides original filings, terminations, clearance rates and pending cases over the past three fiscal years². In all but TPR cases, original filings in FY21 (July 1, 2020-June 30, 2021) were still lower than the FY19 pre-COVID level, ranging from 14% in family cases to 75% in delinquency cases with the overall declined of 27%. While original terminations also declined by 21% overall, it appears that the Court was able to dispose more cases than filed in FY21 in all but criminal and TPR cases, as evidenced by the improved clearance rates in FY21 compared to previous fiscal years

¹ For example, Montgomery County's demographic trends are one such factor that impact the court's operations, and the court has identified several initiatives to address the needs of a diverse and aging population, ranging from improved accommodations to assist patrons with physical and cognitive limitations to strengthening programs that assist patrons filing elder care/guardianship cases.

² Terminations align with case status changing from open to close rather than a case stop condition defined by the statewide Maryland time standard.

Table 1. Original Filings, Terminations and Clearance Rates, FY2019-FY2021.

Case Category	Filings				Terminations				Clearance Rate		
	FY19	FY20	FY21	FY19-21 %Change	FY19	FY20	FY21	FY19-21 %Change	FY19	FY20	FY21
Criminal	1,884	1,493	1,186	-37%	1,930	1,356	1,128	-42%	102%	91%	95%
Civil	5,799	5,134	3,777	-35%	5,551	5,007	4,333	-22%	96%	98%	115%
Family	8,346	6,961	7,139	-14%	8,205	6,841	7,167	-13%	98%	98%	100%
Delinquency	893	556	219	-75%	927	510	393	-58%	104%	92%	179%
CINA	204	165	118	-42%	184	154	194	5%	90%	93%	164%
TPR	25	22	45	80%	49	23	28	-43%	196%	105%	62%
Total	17,151	14,331	12,484	-27%	16,846	13,891	13,243	-21%	98%	97%	106%

* Delinquency includes juvenile delinquency and other non-child welfare juvenile cases (such as miscellaneous petitions and peace orders)

Original Pending Caseload

Table 2 provides case type-specific original pending caseload and the pending caseload/filing ratio for FY19-21. In civil, delinquency, and CINA cases, the size of pending caseload in FY21 is smaller by at least 10% than that of FY19 whereas in criminal and TPR cases, the pending caseloads are higher by 16% and 36%, respectively from the FY19 level. The family pending caseload slightly increased by 3 % between FY19 and FY21; however, given its size (3,700 cases), a slight increase concerns the Court since it may significantly impact timely administration of justice..

Table 2. Original Pending Cases, FY2019-FY2021.

Case Category	Pending Caseload				Pending Caseload/Filings Ratio			
	FY19	FY20	FY21	FY19-21 %Change	FY19	FY20	FY21	FY19-21 %Change
Criminal	1,222	1,362	1,417	16%	0.65	0.91	1.19	83%
Civil	3,414	3,552	2,989	-12%	0.59	0.69	0.79	34%
Family	3,649	3,771	3,744	3%	0.44	0.54	0.52	18%
Delinquency	247	293	120	-51%	0.28	0.53	0.55	96%
CINA	373	384	308	-17%	1.83	2.33	2.61	43%
TPR	45	44	61	36%	1.80	2.00	1.36	-24%
Total	8,950	9,406	8,639	-3%	0.52	0.66	0.69	33%

*Delinquency includes juvenile delinquency and other non-child welfare juvenile cases (such as miscellaneous petitions and peace orders)

§ Pending Caseload was measured as of on the last day of a given fiscal year.

The right half of the table presents the original pending caseload per filing – the size of the pending caseload *in relation to the size of filings*.³ The smaller the pending caseload per

³ Pending caseload is a function of two variables – case filings and disposition; while the former increases the pending caseload, the latter reduces it. Controlling for one of the two, such as the pending caseload per filing, shows the impact of the other on the caseload. Since reduced pending caseload may result from declined filings, increased case dispositions, or combination of the two, using the pending caseload per filing would show the impact of the court's efforts to dispose cases on the reduced pending caseload.

filing, the more efficient the Court's case processing since the ratio indicates the size of pending caseload per filing, i.e., how many cases will be added to the pending caseload if we have another case filing. which is preferable and is considered more efficient if it is smaller. As the table shows, the size of the per capita caseload in FY20 and FY21 is larger than FY19 in all but TPR cases, suggesting a decline in the Court case processing efficiency nearly across all case types. This observation corresponds with the Court closure followed by limited and modified operations due to the COVID-19 pandemic during the same period, which appeared impacted its case processing capacity.

Section III. COVID-19 Pandemic Response

Clerk's Office Functions

Remote Filing Service via Email

The development of department-specific e-mail addresses dedicated for filings for the Civil, Criminal, Family, and Juvenile Departments during the COVID-19 emergency period helped attorneys and self-represented litigants to continue filing responses and motions in existing cases. These dedicated e-mail addresses not only enabled more efficient access to justice, but it also helped to keep the public and the Court staff safer as it reduced the foot traffic into the courthouse and eliminated physical contacts. Over 37,000 email filings were received and reviewed across the four departments between January and August 2021.

Administering the Oath of Public Officials

The Clerk's Office continued one its duties - administering the Oath of Office for Governor Appointments - during the COVID period with the only change; the Clerk of Court met the public outside of the courthouse to administer the Oath. This modification helped keep the public and staff safe since it allowed to maintain social distancing among the attendees in addition to fewer people entering the courthouse.

Swearing of Notary Publics

After a four (4) month-pause on swearing in the Notary Publics in the beginning of the COVID emergency period, the License Department developed an appointment-based schedule to swear in groups of Notary Publics outside of the courthouse several times a day. The service allowed the department to quickly eliminate the backlog of individuals waiting to be sworn in caused by the 4-month suspension of the service, and the department is current with these swearing ins. Performing the service outside ensured the provision of the service to be in accordance with the COVID public health requirements and guidelines by state and county governments.

Resumption of Marriage Ceremonies

After more than a year of hiatus, the Clerk's Office resumed performing marriage ceremonies in the courthouse in June of 2021. To ensure the safety of the guests and staff, the number of

attendees was limited, and social distancing was enforced. In addition, appointments of ceremonies were scheduled to have enough time in between to allow for thorough cleaning of the ceremony room between weddings.

Land Records Services

Land Records, Recording Department also began meeting the public outside of the courthouse three (3) times a day to receive and return documents for recoding in Land Records. This new procedure has helped to keep the public and our employees safer.

Family Law-Related Services

Family Law Self-Help Center

To serve self-represented litigants with legal assistance efficiently and effectively, the Family Law Self-Help Center (the center) maintained a “hybrid” approach developed during the emergency court operations period. Under the hybrid approach, the staff attorneys initially provide legal assistance via telephone to litigants who require guidance with non-complex, legal issues. However, if the staff determines that the litigant needs assistance beyond what can be offered through phone consultation, the litigant can schedule an in-person appointment with the attorney. The initial goal of providing legal assistance by this 2-step process was to ensure the safety of litigants and staff by reducing their physical contact. However, it became apparent that telephone assistance enables many litigants to receive guidance without interrupting their daily schedules. Follow-up appointments further eliminated the long wait times for some clients since prior to the introduction of the hybrid model, the only way to see an attorney was by a first come, first served, walk-in model.

The addition of the hybrid approach during the pandemic and its continuation thereafter supported the mission of the center and its commitment to ensure that self-represented litigants have ready access to free, quality, legal assistance in three ways. First, the hybrid approach may have served as a compliment venue to the existing walk-in model since the center’s walk-in service has been substantially curtailed due to COVID-related restrictions to maintain social distancing. Second, by providing potential clientele with access by telephone, the center may have made its services available to those who would have otherwise not been able to seek and receive services under the conventional walk-in model. Third, with phone-first appointments, the center essentially created a system to efficiently

triage litigants by their needs and to utilize limited staff attorney resources more effectively. As a result, the number of patrons served by the center, which declined by 28% from 9,822 in FY19 to 7,080 in FY20, rebounded to 8,172 in FY21.

Custody/Access Mediation Program

The goal of the Court's custody/access mediation program – to promote litigants' self-determinant resolution of cases in a safe environment – remained unchanged during the pandemic period thanks to the Court's innovative approaches to provide litigants with certain services virtually without negatively impacting service quality or user experience. As was conducted during the pre-COVID period, litigants are referred to custody/access mediation by a Family Magistrate during the scheduling hearing. Since the hearing is now held virtually, following the referral by the magistrate, intake screening and the assignment of a mediator are now conducted over the phone. The mediator who is assigned to the case then works with litigants and counsel to schedule virtual mediation. Upon completing the mediation, the mediator files the mediation outcome sheet and the agreement (if parties reached an agreement) with the Court within five days after the date of the mediation. The magistrate reviews the agreement and determines whether parties must appear in court virtually to finalize the matter.

The Court continues to validate the efficacy of virtual mediation as the standard service delivery method. However, for cases where one party resides out of state, remote mediation has proven to be a viable option. Additional study may be warranted to determine the cost-benefit of this option as an alternative or complementary service to the more conventional approach.

Facilitation Program

The Family Division Services' facilitation program was paused from March 2020 to January 2021 due to the Court's emergency operations period. Prior to March 2020, parties were referred to in person facilitation during their scheduling hearing with the goal of helping parties settle custody/access and child support issues. If settlement was reached, the parties would return to the hearing room and place their agreement on the record. Because the service was designed to occur immediately after a scheduling hearing, it did not seem feasible to continue facilitation when the Court held remote scheduling hearings. As a result, the facilitation service was temporarily suspended in March 2020.

However, when it became evident that a return to in-person scheduling hearings was unlikely for the foreseeable future, a protocol for providing facilitation remotely was developed. Since January 2021, when parties are referred to facilitation, Family Division staff works with the facilitator assigned for the day to contact referred parties to schedule facilitation. The facilitator works with the parties, either via Zoom or telephone, to reach an agreement on contested issues. If an agreement is reached, the facilitator drafts an order and provides it to staff who forwards the order to the referring magistrate. The magistrate either accepts the order as is or sets a hearing at a later date to *voir dire* the parties to clarify content of the agreement. The virtual facilitation program has been tremendously successful with settlement rates of almost 80%. The Court plans to continue these remote/virtual proceedings and service delivery for the foreseeable future.

Supervised Visitation Program

The Court's supervised visitation program, which was held remotely since June 1, 2020, returned to the original in-person format in early August 2021. However, supervisors, visiting parents and children are required to follow the DHHS/Child Welfare Services COVID safety guidelines when entering the Visitation House. Despite the additional restrictions, the visits have run smoothly thanks to the willingness of participants to comply with the guidelines. While virtual visits are no longer the preference for the program, in some cases this may be the only viable option to have a parent maintain contact with their child/ren. Accordingly, Family Division Services plans to keep virtual visits as an option when requested by parties or ordered by the Court.

Remote Proceedings Team

Family Division Services created the "Remote Proceedings Team" to support remote hearings heard by magistrates, specifically to ensure that the hearings are scheduled in a timely manner and proceed efficiently. For this purpose, the team schedules remote sessions in the magistrate hearings including scheduling hearings, uncontested divorce hearings, settlement conferences and pre-trial settlements conferences.. In addition, the team collects necessary exhibits and facilitates the remote proceedings calls.

Law Library

Assisting Court Operations

As the Court implemented its social distancing policy and virtual proceedings, the law library modified its service delivery format from in-person to remote via phones and emails with the public, bar, and Court staff. In addition, to reduce in-person contact and the number of Court visitors, the library retooled research guides on notarization, family, and domestic violence law. Staff coordinated with the Sheriff's Office to make the guides available at courthouse entrances so that the public had access to the resources without entering the building.

Furthermore, the library staff were actively involved in assisting in remote proceedings by rescheduling double-booked hearings, contacting parties, and temporarily reassigning one of the staff members to the Family Division Services Remote Proceedings Team.

Serving the Community's Legal Research Needs

Law Library's services to the public and bar were paused from the initial shutdown in March 2020 to June 2020. However, during this time, the Law Librarian continued to serve judicial research and remote notary requests. In June 2020, librarians were granted permission to remotely assist the public and bar with their legal research needs. During this time, librarians split their time between working remotely and staggering onsite shifts to provide in a limited capacity judicial staff with on-site legal assistance. In April 2021, the library opened for limited in-person research and notary appointments. In July 2021, the Law Library resumed full in-person services. Library usage has continued to steadily increase, and the need for remote research assistance has remained strong.

Remote Services: Librarians remotely assisted the public and bar via two means—email and voicemail. Both email and voicemail had automatic responses instructing the public and bar about the library's current services and with the goal to provide information within two business days (the initial response from a librarian was usually less than an hour). Since June 2020, the library staff divided normal operating hours amongst librarians and assigned each for reference shifts. During a reference shift, a librarian monitors and promptly answers emails and phone messages. Some inquiries that could be answered via online legal databases were answered immediately while others that would require onsite resources such as treatises available only in print and pre-1990 legislative history required no more than a two-business

days turnaround. This voicemail system and two business days turnaround guarantee were also needed when librarian time was requested to assist Senior Judges with remote proceedings in late September-November 2020.

During this period, the law library also created new remote services. One such service is remote access to *Westlaw* and *Lexis*. The library worked with the vendors to provide free, remote access to the library's existing patron access plan for the public and bar. These plans were previously only available from the computers in the Law Library reading room. In May 2020, library staff started planning to offer new remote notarization services under the auspices of Maryland Emergency Executive Order 20-03-30-04. The service was implemented in August 2020 and was utilized until the order's expiration in November 2020.

Between FY20 and FY21, the number of legal research questions that the law library answered declined by 62% from 2,380 legal research questions from close to 8,000 (7,927) to slightly over 3,000 (3,027). In particular, the number of inquiries from the bar and the county government employees declined by 76% from 2,900 to 690 during the same period. In terms of communication, between the two fiscal years, in-person inquires plummeted from 6,236 to 644 (a 90% decline). In contrast, inquiries via email more than doubled from 406 to 881. The most common method of communication with the library now becomes phones, accounting for more than half of the inquires (51%) the library received in FY21, a 36-percentage points increase from FY20 (15%) as the share of in-person inquires declined from 80% to 21%.

Table 3. Legal Research Service Requests Received by Montgomery County Circuit Court Law Library by Request Source and Communication Method, FY2020 and FY2021.

	Information Request Source				Communication Method			
	Public	Bar and County Gov't	Court Staff	Total	In-person	Phone	Email	Total
FY20	4,147	2,900	880	7,927	6,236	1,197	406	7,839
FY21	1,690	690	641	3,021	644	1,579	881	3,104
FY20-21 Change	-2,457	-2,210	-239	-4,906	-5,592	382	475	-4,735
% Change	-59%	-76%	-27%	-62%	-90%	32%	117%	-60%

Legal Education and Outreach

Law Library continued its legal education and outreach efforts by providing the following programs during FY21:

Everyday Law Programming series: In the spring of 2020 and 2021, the Law Library partnered with the Rockville branch of Montgomery County Public Libraries, local volunteer attorneys, and the Court’s Family Law Self-Help Center attorneys to present “Everyday Law” programs. These programs provided free, basic information and resources about the following legal topics for non-attorneys. Topics included estate planning, elder law, family law, family immigration law, and guardianship. Due to the pandemic, the library retooled programming for Zoom and garnered record-high attendance with as many as 80+ attendees for some programs. During FY21, the estate planning program enjoyed encore presentations to community groups such as the Suburban Hospital breast cancer survival support group and GROWS Montgomery County.

Teaching law to public librarians: In partnership with the MSBA’s Maryland Access to Justice Commission, Conference of Circuit Court Law Library Directors, and Thurgood Marshall State Law Library, our Law Library virtually taught Montgomery County public librarians how to do basic to intermediate legal reference on various topics such as family law, landlord tenant law, and health planning law. This educational series was vital for connecting with public libraries as access to justice partners during a time of decreased access to our Law Library and the judicial system at large during the pandemic.

Court Operations Management

Jury Management

Montgomery County Circuit Court resumed jury trials for the second time on April 26, 2021. Prior to this resumption, the Court's Jury Office developed and implemented a jury process reengineering initiative to provide prospective jurors with safe check-in, voir dire, and trial processes in compliance with the Maryland Judiciary's and Montgomery County's COVID protocols. Specifically, the Court implemented the following steps:

- A new numbering system to organize jurors upon arrival.
- Streamlined the juror check-in process and orientation to allow for an earlier Jury selection start time.
- Created three jury selection locations providing social distancing among jurors, counsel, and Court personnel.
- Prioritized jurors and staff safety by maintaining masking and sanitizing procedures in accordance with state and county mandates.

As a result, the Court was able to process and hold 75 jury trials from April 26 (the resumption of jury trials) through August 31, 2021. The number is comparable to that of jury trials held during the same 4-month period in 2018 (76 trials held) and 9 more than in 2019 (66 trials held). More importantly, no COVID-related outbreaks among the jurors called in for duty were reported thanks to the Court's strict adherence to social distancing, sanitation, and masking policies.

Court Restructuring Committee

In March 2021, Montgomery County Circuit Court established the Court Restructuring Committee to review the Court's judicial governance structure. As part of its preparatory work, the committee gathered data and information from other large jurisdictions in the state regarding their judicial structure (including background information on the number of judges/magistrates), judicial rotations, judicial caseload, and a "judge(s) in charge" system to manage processing of a certain types of cases.

After the initial data gathering, the committee reviewed the Court's current judicial resource management practice and identified current duties of associate judges within each rotation and duties of the Administrative Judge. The committee also surveyed judges on their thoughts on the Court's current rotation length. The committee plans to continue their data

gathering during the coming fiscal year to inform decisions on the Court's judicial rotation and caseload structure.

Remote Proceedings Workgroup

In spring 2020, to prepare for the reopening of the Montgomery County Circuit Court, then Administrative Judge Robert A. Greenberg formed a Remote Proceedings Workgroup to develop policies and procedures for remote Court proceedings and services. Judge Greenberg also tasked the workgroup to develop technical recommendations and instructional guides. The work group consisted of judges, magistrates, the Clerk of the Court, the Court Administrator, judicial assistants, law clerks, courtroom clerks, and staff from the Technical Services Department.

First, the workgroup identified the rooms and areas in the courthouse that require remote proceedings capability including courtrooms and hearing rooms, chambers, and certain offices within the Family Division Services. Then the workgroup identified the following core consumer, business operations and technical requirements:

- End user perspective:
 - Easy to use.
 - Available from multiple devices, including smartphones, iPads and other tablets, and desk-top computers.
 - Supports users in low bandwidth areas.
 - Ensures the secure connection for non-public proceedings.
 - Provides public audio access to proceedings that are open to public.
 - Requires no fee for end users.
- Courtroom perspective:
 - Compatible with *CourtSmart*.
 - Supports interpreter services.
 - Able to manage participants in/out of proceedings.
 - Allows parties to share documents.
 - Provides procedure for signing documents.
- Court's events management perspective:
 - Provides the Court with administration function for global configuration and maintenance of master system settings.

- Does not allow the ability to change security settings at the user level.
- Communicates with *Outlook* in scheduling events.

The workgroup also developed the following guidelines:

- **Party contact information:** Collect phone numbers and email addresses for all parties and participants and maintain the information in the Court's case management system.
- **Scheduling and notification:** Judges' Assistants and Magistrates' Assistants are responsible for scheduling remote proceedings and provide parties and participants with necessary information (such as date, time, and the call-in number and/or the link to the video conferencing). Family Division Services support staff are responsible for scheduling and providing parties with the above information for services provided through the Family Division.
- **Courtroom management:** Law Clerks and Magistrates' Assistants manage remote proceedings from within the courtroom and hearing room, respectively.
- **Document management:** Litigants provide the Court with necessary documents 10 days before the date of a scheduled proceeding or 24 hours before an uncontested divorce proceeding. Documents are to be pre-marked and exchanged with opposing parties.
- **Self-represented litigants:** The Court provides two videoconference stations within the courthouse for self-represented litigants who do not own a smartphone, computer, or other device able to support video conferencing.
- **Remote proceeding Information Databases:** The Court develops the following databases to provide Court staff with easy access to necessary information:
 - Party contact information database that allows Court staff to use party contacts to search email addresses and/or phone number of parties and attorneys for cases with an upcoming hearing in the next twelve weeks. Case data is updated daily.
 - Remote proceedings listing (*Zoom for Government* information) for scheduled proceedings that allows Court staff to address inquiries about Zoom meeting IDs.

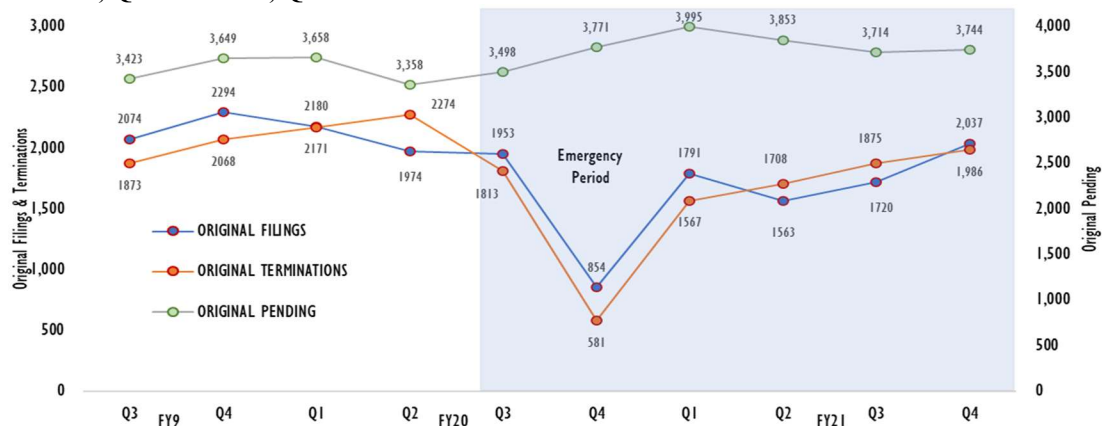
- Interpreter assignment listing that provides email and contact information of interpreters scheduled for a proceeding who will need to be entered into *Zoom* and invited to the proceeding.

Case Management

Senior Judges Presiding over Family Multi-day Hearing

The Court closure during the pandemic and limited operations thereafter resulted in an increased pending caseload. In family case, the pending caseload increased by 19% to close to 4,000 cases between the 3rd quarter of FY20 and the 1st quarter of FY21, Quarter 1. In addition, shown on Figure 1 below, original filings resumed to close to the pre-COVID level immediately after the initial decline in the 4th quarter of FY20. As a result, the size of original pending caseload, which initially increased from 3,500 in the Pre-COVID period to 3,770 in the 4th quarter of FY20, further increased to almost 4,000 by the 1st quarter of FY21. While it later declined to 3,700 as the Court's case processing capacity improved, the volume has not declined to the pre-COVID level.

Figure 1. Quarterly Filings, Terminations and Pending Caseload - Family Cases (Original), FY2019, Q3 – FY2021, Q4.



Recognizing the increased pending caseload in family cases, the Court requested senior judges to help reduce the backlog by presiding over select hearings. Specifically, the Court established a new family docket with Senior Judges to hear multi-day family matters that could not be scheduled on a magistrate's docket, which is largely filled with status hearings, scheduling hearings, and uncontested divorce hearings and does not have space for multi-day hearings. To facilitate the efficient management of the docket, the Court recruited Law Library staff and provided them with training on the scheduling/rescheduling of hearings.

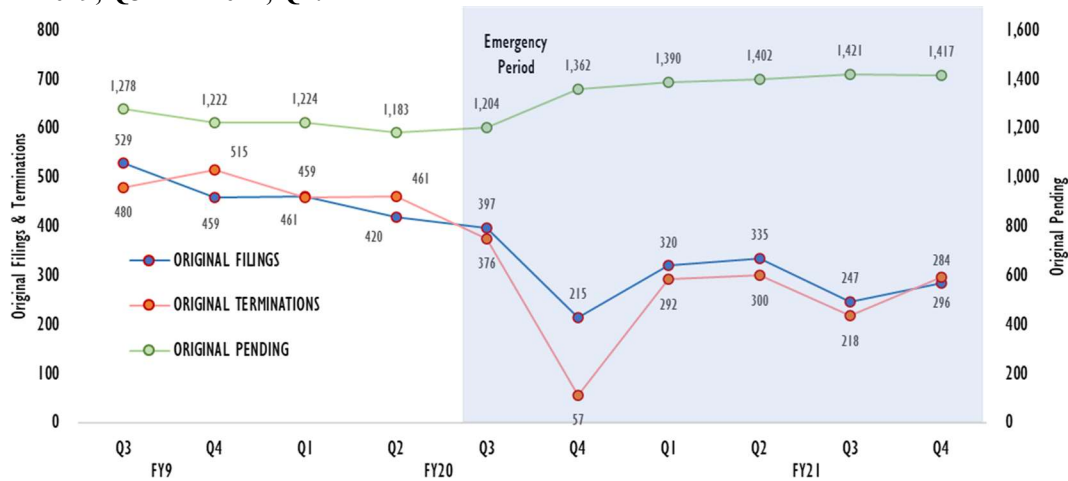
Specifically, library staff was trained to accommodate double/triple booking of target events while ensuring that only a single hearing is scheduled in a given time slot for a particular date. Since those hearings were to be held remotely via *Zoom*, Law Library staff were also trained on *Zoom for Government*, including contacting parties with a *Zoom* session link, administering a virtual session, as well as managing and preparing digital exhibits for hearings. Based on their experiences working with *Zoom*, librarians created an instruction manual on best practices for operating *Zoom* hearings and spreadsheets of email address/contact information of parties and attorneys to supplement the case information. These documents later served as the groundwork for the Court's Remote Proceedings Team.

Senior Judges Presiding over Criminal Track 2 and 3 Status Hearings

Another case type where the pandemic-induced backlog remained was criminal cases primarily due to the suspension of jury trials for an extended period. As Figure 2 shows, the Court's criminal pending caseload (original), which was initially increased from 1,200 during the pre-COVID period to 1,360 at the end of the 4th quarter of FY20, gradually increased to 1,420 by the 4th quarter of FY21 even though filings did not return to the pre-COVID level. To address the backlog of criminal Tracks 2 and 3 cases, the Court requested Senior Judges to work with parties to reach early resolution of cases without waiting for jury trials. To assist the judges, the Court recruited and trained Jury Office staff on remote hearing scheduling and facilitating activities. This program continued until April 26, 2021, when the Court resumed jury trials.⁴

⁴ Upon the resumption of jury trials, the court initiated a new project to improve jury utilization and to efficiently process cases set for jury trials with Jury Utilization Chart. See page 27 for details on the project.

Figure 2. Quarterly Filings, Terminations and Pending Caseload – Criminal Cases (Original), FY2019, Q3 – FY2021, Q4.



Calendar Management

Jury Trial Management

As already indicated, the suspension of jury trials during the Court’s emergency operations period caused a substantial backlog of jury trials. To address the backlog, the Court instituted weekly meetings with the Administrative Judge and Assignment Office staff, the Jury Commissioner, and Administrative Aides to review and discuss the status of the jury trials set on the docket for the following week. The weekly meetings resulted in easier organization of the Jury Prioritization Chart which tracks trial certainty and is updated in real-time when events occur, and trials fall off.

To efficiently carry out the jury selection process, the Court instituted a policy requesting attorneys to submit their voir dire questions and jury instructions to the trial judge in advance for review prior to the trial date. The change has allowed the Court to start the jury selection process earlier resulting in the jurors spending less time waiting for the selection process to begin, unselected jurors leaving the building sooner and trials starting ahead of schedule. The Court also requests that all pre-trial motions are addressed prior to trial. Communicating with the attorneys on pre-trial matters prior to trial brought two additional benefits: 1) the Court’s involvement resulted in parties reaching plea before a trial date, and 2) the Court prompting parties to review outstanding motions resulted in parties’ filing postponement requests in advance of a trial date.

In addition, during the jury trial suspension periods, the Court revised the District Court jury trial demand case business process by instituting the Jury Demand by Line to allow

the Court to reschedule the trial date without having parties in a courtroom. The process eliminated trial postponements on the day of trial and movement of parties between courtrooms. Specifically, when a Jury Demand by Line was forwarded to the Court, the Criminal Department notified Administrative Aides at case initiation to schedule the trial date on a day after April 26, 2021 by order.

Temporary Restructuring of the MCOCS Settlement Conferences

Montgomery County Office of Child Support Enforcement temporarily halted in-person settlement conferences for child support cases because of public health concerns caused by the pandemic. To accommodate the situation, the Court held hearings virtually. In addition, since child support cases often result in case dismissal due to an opposing party not being located, the Court changed the timing of issuing the scheduling order from the filing of the case to when an affidavit of service or an answer was filed to ensure that the Court only schedules hearings for the cases where opposing parties were served.

Drug and Mental Health Courts

As reported in the FY20 State of the Court Report, beginning March 2020, Montgomery County Circuit Court's Problem Solving Courts, which include Adult Drug Court and Mental Health Court, were tasked with ensuring that program participants receive services and oversight without interruption despite the obstacles created by the pandemic. Essentially, all court proceedings and service provisions except for a few were held virtually via video/teleconferencing.

Adult Drug Court

During FY21, Montgomery County Circuit Court's Drug Court continued its remote dockets by holding proceedings via video/teleconferencing. The docket was reduced from three large dockets each week to smaller dockets with an average size of seven cases per docket, which produced an expected benefit of providing Drug Court staff with a more manageable forum to obtain client updates. A women-only docket was also created and held once per month. Drug Court clients were expected to appear either weekly or biweekly, which has been an increase in required court attendance for those who are in later phases of the program.

The Court continued developing creative ways to interact with program participants to engage them in a virtual format. Examples include virtual social activities such as a virtual bingo, a virtual escape room and a virtual prize wheel as an incentive for successful completion of requirements. Creative sanctions such as observing all Court dockets, increasing virtual sessions with case managers, and daily virtual meetings were used in response to client behavior. In fact, the Court increased client contact with case managers by setting up group check-ins in addition to individual meetings.

The Court also assisted the program's primary treatment provider by allowing access to a video conference application to facilitate virtual group treatment sessions. While the use of urine collection became less frequent, the program acquired funds to use deliverable oral swabs: once a client receives a swab test kit, case managers schedule a virtual meeting with the client to observe the swab being used and sealed for delivery back to the lab.

During FY21, the Court held two virtual graduation ceremonies, organized an outdoor paint night with the female program participants in the courtyard of the courthouse (held in-person), and opened Miracle House, a free, structured sober living environment for Problem Solving Court participants. The Court also increased the number of placements in residential treatment to ensure those struggling with sobriety remained safe.

Mental Health Court

During FY21, the Court's Mental Health Court maintained twice-a-week court sessions with increased phone contacts between case managers and clients and arranged virtual check-ins. The program also used similar video-based, virtual approaches for service delivery and client interaction. When the courthouse reopened, the program adopted an in-person/remote hybrid approach for participants' court appearance. This was to provide an option for program participants to appear in person if their virtual appearance does not appear working well. Such restructured operations are expected to continue post-pandemic; however, both programs will continue to evolve based on re-opening protocols.

Courthouse Facilities and Employee Support

Employee Appreciation/Employee Service Awards

The Clerk's Office held its annual Employee Appreciation Day on June 15, 2021. This year the office held a luncheon outside the courthouse to help keep the employees socially

distanced and enjoy part of the day outside. The Court hired a locally-owned food truck to come to the courthouse, which offered several different options of traditional Mexican cuisine. A pamphlet that acknowledged all Clerk's Office employees and their years of service, from new employees to 50 years, was handed out.

Court Administration also held an employee service award ceremony on June 30, 2021 since it was unable to be held in 2020. Judge Greenberg and incoming Administrative Judge Bonifant participated. Fifty-eight employees were honored for their years of service ranging from 5 years to 45 years, including 14 employees receiving awards from 20-45 years of service who were individually honored by their supervisor. The ceremony was broadcasted online to allow more staff to honor colleagues and celebrate the occasion without being present in person. Award recipients received pins, certificates of service and had their pictures taken individually with the Judge. Boxed lunches were also served after the ceremony.

Employee Survey

In July of 2021, the Clerk of the Court worked with the Administrative Office of the Courts, Human Resources Department to create an anonymous survey to assess the Clerk's employee's morale, satisfaction, and engagement. This report will help to guide the new Clerk in training for employees and management, addressing areas of concern, and giving a voice to the employee that might not feel comfortable verbalizing their thoughts and feelings.

KidsSpot Virtual Learning

The Court's child-friendly waiting area, Kids Spot, which was closed to the public due to the pandemic, opened to provide free service for school-aged children of Circuit Court employees who would otherwise be at school during this time. Up to 14 children, aged 5-12, spent their day participating in their school's virtual learning program at Kids Spot. In this program, eligible children may stay as much as 8.5 hours from 8:00 AM to 4:30 PM after completing the registration and as long as their parent remains in the courthouse building. The program was staffed at all times by two experienced Kids Spot staff who are qualified to work with mixed-aged children.

Strick COVID health measures were in place to keep children and staff safe and healthy throughout the length of the program. For example, desks were setup around the circumference of the room to keep children socially distanced from each other during the learning portion of the day. Enhanced cleaning took place each Saturday to keep common toys and surfaces as clean as possible. The program registration protocol was later modified to have parents drop off their children in the hallway without entering in the room to minimize contact with other children in the

program. Children registered in the program were expected to independently complete their learning assignments and were then welcomed to play in Kids Spot, within their safe designated space.

This program was open to virtual learning on August 31, 2020 and was expected to continue through November 30th. However, since public schools remained virtual due to the COVID surge, the program operated for the entire school year.

Court Employee Appreciation - Lunch/Social

To celebrate the reopening of the Court and returning of Court staff to the courthouse, as well as their hard work on MDEC, the Court Leadership Team organized the following appreciation events:

- ‘Welcome Back Employees’ banners placed on docket displays and at elevators.
- Employee appreciation boxed lunch was provided for all Court staff with balloons.
- Court Leadership greeted employees to thank them for their hard work during the pandemic.
- Provided employee-specific weekly communication via email to provide new Covid-19 policies and procedures.
- Ice cream social with *Ben & Jerry’s* ice cream cart to thank employees for MDEC work.
- Swag, water bottles, stress balls, face masks provided to employees as MDEC morale boosts.
- Courthouse wellness activities including Pilates and yoga.

Courthouse Security

Montgomery County Sheriff’s Courthouse Security Team closely works with the Clerk of the Court and Court Administration to coordinate security within the courthouse. The team also ensures the safety of children and staff located at KidsSpot, prisoners in custody during transport, and all individuals present in the courtroom when an emergency evacuation occurs. Currently, the Sheriff’s Office has four (4) explosive-detecting trained K-9 teams and one (1) Controlled Dangerous Substance (CDS) detection K-9 team that assist the Courthouse Security Team. The office also has two (2) comfort dogs to assist Court patrons such as individuals attending the Mental Health Court and those assisting the States Attorney’s Office with victims such as children.

Screening Stations

Screening stations are present at all three public entrances of the courthouse with private security and roaming Sheriff's Office Courthouse Security Deputies. Screening of patrons is accomplished by magnetometers, x-ray machines and handheld wands.

Courthouse Security Committee

In January 2018, Administrative Judge Robert Greenberg established the Courthouse Security Committee with the objective of providing input and guidance on issues involving the security of the courthouse building and surrounding areas. The committee was tasked to review current screening practices, building access policies, and other courthouse-security related policies and programs for the Court.

Following a study analyzing courthouse traffic volume entering public and employee entrances, the committee submitted six security-related recommendations, including expanding the scope of screening at public entrances to include all individuals whose offices are not located in the courthouse and instituting two (2) full screening days a month that include individuals whose offices are in the courthouse building. The Administrative Judge accepted all recommendations from the committee and instituted the expanded and full screening recommendations, which have been underway since May 2018. The committee meets quarterly to actively address courthouse security concerns and remain abreast of best practices.

Security Upgrades

Sheriff's Office implemented the following security enhancements in FY20 and FY21:

- Upgraded cameras in the North Tower courtrooms (FY20).
- Installed Uninterruptible Power Supply for the North Tower (FY20).
- Installed exterior rooftop cameras for total 360 view of the courthouse perimeter (FY21).
- Installed additional cameras for the South Tower Judges parking area (FY21).
- Installed access control system pads for North Tower elevators that have access to G1/G2 parking (FY21).
- Installed a new battery system for South Tower to serve as a back-up power supply when loss of power (FY21).
- Installed ballistic partitions for Maryland Ave entrance (FY21).

The Montgomery County Sheriff's Office, which was accredited in 1995 by the Commission on Accreditation of Law Enforcement Agencies, continues to maintain this accreditation through rigorous on-site evaluations.

Section IV. Projects and Best Practices

Montgomery County Circuit Court's mission is to serve the Sixth Judicial Circuit residents in the determination of serious criminal, civil, family law, juvenile delinquency and child welfare/support cases while administering justice in an honest, fair, and efficient manner. The Court's overall mission as well as its specific goals and objectives are accomplished through daily tasks and larger-scale initiatives. Listed below are select projects and best practices undertaken during FY21 and are likely to continue in FY22.

MDEC

The local MDEC team believes that the numerous and variety of projects undertaken over the course of this implementation effort have positioned the Court for a successful Go Live in October 2021. Since 2018 the Court's MDEC team has been engaged in multiple meetings to ensure tasks aligning with ever-changing project plans. These meetings include but are not limited to weekly status (standup) meetings as well as monthly MDEC Advisory meetings and meetings with the Maryland Judiciary's Major Projects Committee. Below are some of the major projects that the Court has undertaken:

Odyssey Development Efforts

A total of 10 testing cycles including both manual and automated tests will have been completed by MDEC Go-Live. Each full regression testing cycle took 7 weeks to complete with targeted issue testing completing in 4 weeks. The Court's MDEC SMEs ran approximately 1,700 development tests in its last testing cycle (9th) in August 2021. Currently, the Court is conducting the 10th testing cycle, and as of September 3, 2021, still 47% of the testing scenarios have their results 'pending', largely due to the unavailability of the functionality of the application that required testing.

The Court took a systematic approach to testing. This effort managed by Technical Services set the Court on a course to ensure the *Odyssey* vendor's solutions align with the Court's defined requirements. Currently, approximately 850 tests are automated (50% of all test scenarios) providing the Court the ability to run tests more efficiently. The Court shared with Tyler software development staff its 1,700 test inventory to provide the vendor an opportunity to test the Montgomery software more effectively.

At the end of June 2021, 404 development issues have been logged; 91% of which have been resolved. As of the beginning of September 2021, 30 Development Tracker tasks are open, three (3) of which are ‘Showstopper’ and another 18 have the ‘high’ priority.

Below is a list of the development-related projects that the Court has been involved in:

Differentiated Case Management: The Court’s MDEC SMEs were engaged in conceptual design discussion of the development of Differentiated Case Management (DCM) plans and testing the DCM functionality beginning in May 2018 through November 2020. The new system functionality focuses on the creation of case plans (i.e., DCM Tracks) and the use of various resource assignments such as judicial officers with a particular role (e.g., plea judges and B&T judges) and support staff (e.g., case managers and evaluators).

Calendar configuration: Calendar configuration in Odyssey has been a huge undertaking for this Court. Court SMEs are engaged with the vendor and the Judiciary in the building and the configuration of 150 various calendar sessions.

Time Standards: The Court was also instrumental in testing the Judiciary’s case time standards in Odyssey’s Time Standards tab (for courts statewide).

ADR/Mediation: The Court plans to use one of *Odyssey*’s new features, its arbitration tab, to capture mediation/ADR information and is working with the Judiciary’s Mediation and Conflict Resolution Office (MACRO) to develop statewide standardization in the capture and reporting of this information.

Data Conversion/Data Review

Data Review: The Court’s MDEC SMEs completed their 9th conversion cycle, which ended July 16, 2021. Over the course of those cycles, the SMEs identified 428 issues (to date); 97.7% of which have been resolved. Tremendous effort has also been made and continues to ensure the accurate migration of all Court record information including financial data.

Reports, Extracts, and Forms: The Court’s MDEC SMEs provided requirements for approximately 50 data reports and extracts, 50 local forms, which JIS was to develop according to Montgomery County Circuit Court’s specifications, and 266 Odyssey (statewide) forms. As of the end of June 2021, a total of 320 reports issues have been logged; 88.4% of which have been resolved. A total of 297 forms issues have been logged; 96% of which have been resolved.

Attorney Record Integration: One of the tasks assigned to the Court was to review more than 15,000 of the over 34,000 attorney records stored in the Court's case management system (CMS) and to verify or identify their attorney (CPF) number so that the Court's attorney information may be integrated into the statewide attorney database without creating duplicates. By the end of the 8th data review cycle, close to 14,500 (93%) of the records were reviewed, and the attorney number was identified for over 8,000 attorneys. Since new attorney records are continuously added to the Court's case management system, this is an ongoing task for the Court. Another task is to identify out-of-state attorneys entered to represent a client with a special admission in currently active cases, locate physical files of the cases, scan/copy the order granting the admission, and send the information to AOC to obtain a bar number for the attorney.

Court Business Processes

The Court completed two cycles of business process discussions with the support of the Maryland Judiciary: 41 days of Consistent Court Practices (CCPs) and 29 days of Business Process Walkthroughs (BPWs). These tasks focused on discussing Court-wide department and office practices and processes envisioned for the new case management system.

Solution Validation

Between June and August 2021, more than 400 step-by-step instructions were executed by Court SMEs during the Solution Validation task to ensure the Court's end-to-end processes work correctly in MDEC. This task involved testing of converted cases, new development, forms, reports, and extracts in accordance with current and newly-identified business practices and processes.

Pre-, Post- and during the MDEC Go-Live Weekend Activities

The following are the Court's activities that are directly related to Go-Live that will take place during the week prior to and following the Go-Live weekend:

- Prepare for scanning of case records into Odyssey for cases with active hearings.
- Prepare for end-user Odyssey training from Tyler Technology of 382 Court personnel.
- Draft local Quick Reference Guides to guide Court users in the implementation of current and new business practices and processes.
- Configure *Odyssey* security roles for each Court staff
- Configure and document task queues and other required system configuration.

- Identify tasks, time events and schedule staff for go-live weekend starting at 5pm on Thursday, October 21 and extends through Court opening at 8:30 am on Tuesday, October 26.
- Test the system, execute post-conversion scripts, and recreate calendar events on mid-day Sunday, October 24th during Go-Live weekend, to ensure the system is ready when the Court opens.
- Define and test requirements for juvenile and ultimately criminal e-filing.
- Attend statewide MDEC user, code, and reports workgroups to inform statewide practices and policies.

Diversity, Equity, and Inclusion Issues

Court leadership of Montgomery County Circuit Court discussed the vision and goals of the program to address diversity, equity, and inclusion issues in the Court. They determined that the initial focus is to engage managers to identify ways to integrate diversity and inclusion into the current culture of the Court and to disseminate information among Court staff. As the first step toward this goal, the Court planned a Movie/Book Club discussion group, which is scheduled to meet quarterly starting in September 2021. Other short-term plans include: 1) hiring a consultant to audit the Court's County-based HR processes, as well as engage managers and supervisors in diversity and inclusion discussions and activities; 2) capitalize on the Judiciary's initiative to provide education and awareness to Court staff.

The Court's Law Library is committed to addressing diversity, equity, and inclusion issues in its collection development and outreach activities during FY22.

- Library collection development:
 - In FY21, the Law Library added five (5) interdisciplinary law and LGBTQIA+ treatises to its collection. In early FY22, the library has identified seven (7) additional titles to add to its collection that address issues of racial equity and law.
- Outreach activities:
 - The Law Library has started to conduct a review of currently produced research guides for areas of opportunity to better serve underserved and marginalized populations. For instance, the Law Library is in the preliminary stages of adding gender change guidance to its existing name change guide.
 - The Law Library hopes to pair these changes in research guides with more inclusive topics and treatment of those individuals in the next Everyday Law Programming to be held in the spring 2022.

Jury Utilization Improvement Project – Jury Utilization Chart

Recognizing the existing jury trial backlog due to emergency operations, the court identified a process to allow for maximum trial scheduling given social distancing considerations for jurors during the jury selection process. For this purpose, the Court developed a spreadsheet to manage the Court's juror needs. The spreadsheet captures the case number, caption, trial judge, trial length, description, number of strikes, incarceration status, number of previous postponements, case age, attorney names, Hicks date, DCM track, language interpreter requirement, and any plea/settlement/postponement received.

The Court holds an internal meeting to update the spreadsheet prior to a stakeholder meeting. At the stakeholder meeting, the Administrative Judge along with clerks, Assignment Office Commissioner, Jury Commissioner, Courtroom Clerks Department staff, Technical Services staff and Sheriff's Office deputies review each case and determine its trial priority based on interpreter(s) requirements, judge availability, transportation requirements for incarcerated defendants, jury selection location, and trial location. The meeting identifies priority of cases to be held or back-up cases for the following week.

The Court shares trial schedule/priority information with case parties on the next week's jury trial docket. At the same time, the Court uses Microsoft *Teams Channel* to share up-to-the minute trial posture updates throughout the week and address other case issues that arise. To institutionalize this business process, the Court created Criminal/Civil Case Manager position.

Through creating the Jury Prioritization Chart and developing a new jury trial case preparation/management process, the Court essentially eliminated the need for calling in jurors for no reason: jurors who are called in are those who the Court intends to use for selected cases in priority. In addition, the process has largely eliminated the waiting in the Jury Lounge among summoned jurors since the Court now sends them directly to voir dire locations to begin jury selection process.

As a result of the Court's effective jury summoning practice based on the Jury Prioritization Chart, the jury utilization rate from the resumption of jury trials on April 26 through August 31, 2021 increased to close to 78% (of 4,409 jurors who were summoned, 3,457 went voir dire), a 24-percentage point increase from the FY17-19 level (54%).

The chart also assists chambers in two ways. First, trial judges now know that the cases on the chart have been officially sanctioned by the Court to go forward. This assurance

provides the judges with a level of confidence that their case preparation will not be wasted since they are likely to be heard. Second, the assurance allows the judges to effectively communicate with counsel regarding the Court's position on the status of their trials and sends a message that the Court is prepared to hold a trial.

The Court's clear position regarding cases on the priority list also impact the attorneys in two ways. First, it assures attorneys that trials will go forward and will not be administratively postponed. Second, it essentially removes the possibility of counsel requesting a postponement on the day of trial for trivial reasons and forces them to review their cases' trial-readiness in advance. For example, knowing their trial is in a "go posture" is enough to encourage the parties to file preliminary motions. As a result, cases on the chart are more likely to go to trial, resulting in a higher number of trials held. Currently, the number of trials held is 4.5 trials/week under COVID-related constraints, which is comparable to the pre-COVID level of 4.8/week in 2019.

The Court expects that the impact of this new process will reflect in its criminal case processing performance later in FY22 when the case backlog created by COVID is reduced to the pre-COVID level.

Family and Juvenile Case Management

Major changes in the Court's operations that occurred during the pandemic were the adoption of remote proceedings and the increased use of electronic means (emails and file/information sharing applications) for the transmission of case management information for review and decision-making. Highlighted below are how Family Division Services case managers currently monitor and manage family and juvenile cases.

Email alerts: Daily email reports/alerts that display any add-on files for scheduling after scheduling files have been delivered and cases containing open motions.

Electronic Information Sharing: Use of *SharePoint* to share information on missing party contact information for upcoming remote hearings and to search files when additional information was received.

Information Assistance for Remote Hearing: Fielding calls from parties and attorneys regarding upcoming remote hearing information before judges and magistrates. The staff also collects party's contact information and passes it to chambers as well as directly updates this contact information in the Court's case management system.

Virtual Case Reviews: To minimize human contact due to transporting physical files around the courthouse, conducting critical reviews of cases based on the information available from the Court's case management system, reviewing cases as to sufficiency/timing of filings, and calculating and/or preparing Amended Scheduling Orders for cases that missed the discovery deadline.

Adult Guardianship Case Management: Generating email alerts/notices that list remote dockets (most of the guardianship hearings are held remotely) to promptly address the increased number of a request for a hearing to remove alleged disable persons from hospitals or nursing homes due to public-health concerns caused by COVID.

As in family cases, most of the hearings and mediations in juvenile cases are held in a virtual platform. This shift in the operating platform resulted in the decreased number of detention hearings in delinquency cases and decreased number of visitors to the Court. On the other hand, it increased the number of requests by parties for copies of filings because they are working remotely and are unable to get mail.

Assignment Office

As the Assignment Office continues learning the fundamental applications and processes of *Odyssey*, the office seeks to ensure that Montgomery County Circuit Court's calendars under *Odyssey* are operating and maintained with the same level of accuracy and efficiency as it has been with the current case management system, and hopefully even better. During MDEC training, as they learn *Odyssey's* calendaring structure and functionality, the staff has started creating a list of differences that may challenge the success and integrity of the current calendars. This has helped the office initiate conversations with Tyler and the Administrative Office of the Courts to create work arounds to ensure the integrity of the Circuit Court calendars.

While the Assignment Office recognizes that it will face challenges that it has not experienced during testing and training, to best prepare the staff for such challenges, the office encourages the staff to take as many MDEC training/learning opportunities as possible to master the application's calendaring system and its operations. Specifically, the office provided the staff with the following opportunities:

- Required all staff to successfully complete the Tyler University MDEC videos and quizzes to master the basics of the application.
- Require staff to rotate their work schedule, so that they can attend Quality Control's Lunch N' Learns to learn the application by going over task scenarios, obtaining step-by-step instructions and asking questions.
- For those who perform specific scheduling assignments, such as Civil Motions Clerk schedules, request one-on-one appointments with Quality Control for more in-depth training to master the tasks.
- Required each staff to create a list of his/her current daily practices and tasks, as well as the challenges he/she faces with the current calendaring system. The Assignment Office provided MDEC Configuration Management Calendar Analyst with the information, who created a number of step-by-step videos on how those challenges would be addressed in *Odyssey*.
- Complete an 8-hour in-person training with Tyler. The Assignment Office management also attended and is planning to attend additional trainings offered to other departments if they cover calendars/calendaring.
- Assignment Commissioner, Office Manager and MDEC Configuration Management Calendar Analyst participated in a weeklong course with Tyler to address calendar session building and to take a deeper dive in the complexities of certain rotations.

Trust Office

During the Court's emergency closures and following limited operations, some of the Trust Office operations were interrupted. To address them, the Office initiated the following procedures during the emergency operations. Since the Court's case management system stopped notifying the Office of the cases where various reports were due during the court closure period, the staff manually reviewed cases, notified parties, and monitored them for timely report filings. The Office manually identified the cases that were subject to a change of jurisdiction. The staff met clients outside the courthouse instead of at the counter when they had large filings. The Office also provided remote one-on-one meetings with clients to assist them to file reports accurately and scheduled remote show-cause hearings to follow the state and county's public health orders/guidelines as well as to minimize physical contacts. The staff also updated and made necessary changes on the video tutorials for guardians. Trust Office plans to re-establish in-person training class for newly-appointed guardians through another platform, preferably a remote/virtual one.

Regarding its involvement in MDEC/*Odyssey*, in addition to participating in *Odyssey* development testing, the staff prepped case files for scanning.

Judicial Opinions Collection Project

In FY21, the Law Library resumed collecting written judicial opinions in family and civil cases of Montgomery County Circuit Court. The library is currently the only publicly available source for this Court's trial court-level opinions. Starting in FY22, the library hopes to expand the collection to include opinions in criminal cases and to create an online database to increase accessibility.

MDEC/*Odyssey* Training

In addition to the web-based and standard in-person/virtual training offered by the vendor, the Court initiated its own informal training by SMEs - Lunch 'n Learn & Brunch 'n Learn every Tuesday and Thursday beginning July 6, 2021. The goal of this training is to provide case type- or court function-specific sessions to address any questions or concerns that Court personnel has that may not be covered by the standardized training offered by the vendor. The Court plans to offer this information training up until the MDEC Go-live date as Court staff becomes more familiarized with and knowledgeable about the application.

Technology

Montgomery County Circuit Court's Technical Services and Data Processing Departments continue providing a 100% uptime of mission-critical applications, systems, hardware, courtroom audio/visual, and network components to ensure that court processes continue, without interruption, during court operating hours. The Technical Services Department's Information Technology Plan integrates and coordinates technology projects to ensure critical systems are maintained and new technology is deployed to meet the growing needs of staff and patrons alike. During FY21, the departments spent substantial amount of resources and time on the following two areas: technologically equipping the Court to carry out its daily operations during the COVID period; and assisting the Court in transitioning to the statewide case management system.

COVID

Remote Court Proceedings: Technical Services Department researched and assisted the Court to procure and implement *Zoom for Government* application for court proceedings and other services. For example, the department worked with the Adoption Case Manager and

Drug Court Case Managers for virtual Adoption Day and multiple Drug Court graduations via *Zoom*. The department also installed close to 20 *Polycom* video conferencing devices in older rooms in the Court's North Tower, providing all Montgomery County Circuit Court judicial officers with the ability to conduct online hearings.

Teleworking: Technical Services Department assisted the Court with technical aspects of launching the telework program by providing court staff with capability of remotely accessing their work computers from home. The department also created a website and databases for clerks to provide services remotely and schedule interpretation services and remote hearings.

Logistics: Technical Services Department worked with Jury Office to reconfigure courtrooms to safely hold jury trials in accordance with the Maryland Judiciary's and county COVID-related public health regulations and guidelines. Similarly, the department worked with a vendor to implement socially distanced bench conferences using audio/video components. Working with Montgomery County Department of Corrections, the department established secure remote connection between jails and the court via video conference calls. The department also worked with the Department of Corrections and the Family Justice Center to update their video conferencing technology.

In terms of information dissemination, the department kept the Circuit Court website up to date with the latest orders and court building status. To facilitate an easy court staff public health check-in and collection of associated data, the department created a web-based health screening form that court staff fills out when they log on to their work computers. The department also distributed and provided upkeep of hand sanitizing stations throughout the courthouse.

MDEC

During FY21, Technical Services staff worked on software testing for the Court's *Odyssey* development, analyzed data extracts via automated scripting, and worked with Tyler and JIS to setup and configure hardware and software for solution validation, batch scanning, and training efforts.

General

Technical Services Department replaced half of our *CourtSmart* servers and encoders with new equipment. The second half are scheduled to be replaced during FY22. The department

procured equipment needed to upgrade courthouse signage systems to latest secure versions and conducted proactive maintenance to ensure 24/7 uptime of South Tower integrated AV components.

Section V. Concerns/Issues

Legislative Concerns and Recommendations

None at this time.

Employee Turnover/Succession Planning

Loss of Institutional Knowledge due to Retirement: On April 1, 2021, the Clerk of Court, Barbara H. Meiklejohn, retired before the end of her 2018 -2022 elected term. Chief Deputy Clerk, Karen A. Bushell, was appointed to fill the remainder of Clerk Meiklejohn's term and was sworn into office on April 1, 2021. Clerk Bushell selected Stephanie Kim as her Chief Deputy who has been with the judiciary for ten (10) years and most recently was the manager of the Criminal Department.

During 2021, the Clerk's Office had several retirements of long-term employees who were very knowledgeable about the Court's business processes. Their retirement was due in part to the stress of COVID-19 and due in part to the anticipated transition from the Court's case management to MDEC. The Clerks' Office also repurposed two PINs allocated for the judiciary-employed programmers whose main duties were programing for the Court's case management system that will no longer be needed with the implementation of MDEC in October 2022.

By the end of 2021, Court Administration is expected to lose up to three senior members due to their retirement and has been preparing to retain institutional knowledge prior to their departure.

Post-MDEC Exhaustion: the Court is anticipating burnout among court staff after 4 years of continuous efforts to support various MDEC-related activities, including development, data review and conversion, solution validation, training, and implementation, punctured with frequent stress caused by prolonged system failures and the perceived project failures in its second and third years.

Post Go-Live Data Access

Montgomery County Circuit Court has been supporting various data needs of court leadership and management using its research and technical expertise and in-house case management system. In the past four years through involvement with MDEC implementation, the Court

used its case management data to support for various purposes, including reviews of converted data and data extracted from Odyssey for accuracy, as well as development of conversion scripts for MDEC implementation. The Court has been able to perform data analyses for court leadership as well as support data-informed business process and policy discussions with court personnel more broadly. Some the specific analyses performed this repot cycle include calendar/docket management, judicial bench times analysis, jury rescheduling management, monthly caseload tracking (filings, terminations, clearance rates and pending by original or reopened filings) and quarterly case processing performance analyses.

With the decommissioning of the Court's case management system in October 2021 due to the implementation of Odyssey, limited access to the Court's data tables in *Odyssey* is anticipated to negatively impact the Court's ability to perform on-demand and routine analyses impacting the ability to efficiently respond to local court caseload and business operations questions. Montgomery County Circuit Court believes that providing local courts with unfettered access to their case data in *Odyssey* provides them and their technical and research staff with greater opportunities to use data to inform case management and operations decisions in consultation, collaboration and partnership with the Judiciary's Research and Analysis Department. This approach to data access by local courts is not to diminish the value and use of the regular *Odyssey* reports or ECRs, which the Court will utilize greatly.

Section VI. Conclusion

Montgomery County Circuit Court takes great pride in its position as a member and a partner of the Maryland Judiciary. Through completing our State of the Court report, we have a clear picture of where we have been, where we are going, and the resources needed to reach our strategic goals and objectives. While the transition to MDEC and the pandemic have challenged the Court in a variety of ways, both have also created opportunities to innovate and excel that may not have been realized or realized as quickly. The Court is committed to providing fair, efficient, and effective justice for the people of Montgomery County through improving efficiencies in operations, implementing innovated solutions, and working collaboratively with our justice partners.

Appendices

Appendix I. Clerk of the Court Operational Statistics, FY21

Filings, Terminations, and Clearance Rate (including original, reopened, and Register of Wills), FY19-21.

Case Type	Filings				Terminations				Clearance Rates		
	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21
Civil*	7,805	6,967	5,816	-25%	7,493	6,756	6,154	-18%	96%	97%	106%
Family	13,795	11,414	11,351	-18%	13,753	11,275	11,702	-15%	100%	99%	103%
Juvenile	2,648	2,300	1,715	-35%	2,639	2,159	1,902	-28%	100%	94%	111%
Criminal	6,294	5,528	4,552	-28%	6,220	5,226	4,578	-26%	99%	95%	101%
Total	30,542	26,209	23,434	-23%	30,105	25,416	24,336	-19%	99%	97%	104%

* Register of Wills and liens cases are excluded from civil filing and termination figures.

Source: Montgomery County Circuit Court, Research and Performance (SQL tables).

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Spoken-Language Interpreter Services: Numbers of Requests, Cases with Requests, and Swearing-in of Interpreters, FY19-21*.

	Civil			Family			Criminal			Juvenile			Total		
	FY19	FY20	FY21	FY19	FY20	FY21	FY19	FY20	FY21	FY19	FY20	FY21	FY19	FY20	FY21
Interpreter Request	207	207	147	1,782	1,739	1,566	371	296	267	291	178	117	2,651	2,420	2,097
Interpreter Request (by Case)	186	180	124	1,617	1,577	1,439	294	235	225	181	108	74	2,278	2,100	1,862
Interpreter Sworn	99	73	41	2,194	1,695	2,156	866	713	731	115	81	122	3,274	2,562	3,050

* Based on the number of relevant docket entries made in the Court's case management system during a given fiscal year.

Source: Montgomery County Circuit Court, Research and Performance (SQL tables).

Non-Judicial Services (FY20):

- Issued over 3,217 business licenses (over 10,500 in FY19)
- Issued over 4,172 marriage licenses (5,031 in FY19)
- Performed over 1,970 marriage ceremonies (over 2,300 in FY19)
- Land Records Department recorded, numbered, scanned, and indexed over 1,700,000 documents (over 95,000 in FY19)

Appendix II. Court Administration Operational Statistics, FY21

Quality Control/Administrative Aides/Juvenile Departments

Completed audits of originally closed civil, criminal, and family cases. For juvenile cases, audits are performed on original and reopened cases.

Number of Case Audits Performed by Case Type, FY20 and FY21

	FY20	FY21
Criminal	1,522	1,413
Family	6,262	6,654
Civil	4,594	3,817
Juvenile	1,127	1,009
Total	13,505	12,893

Source: Montgomery County Circuit Court, Quality Control Department.

Trust Office

Caseload

	FY19	FY20	FY21
Guardianship Petitions Filed	468	388	425
Guardianship Cases Terminated	360	280	367
Active Cases at the end of Fiscal Year	2,530	2,560	2,563

Source: Montgomery County Circuit Court Data Processing Department, *TRUSTATS*.

Workload

	FY19	FY20	FY21
Report Audits and Reviews			
Guardian Inventory Reports Filed and Reviewed	50	233	244
Fiduciary Reports Filed	1,036	900	1,167
Fiduciary Reports Reviewed and Audited	970	858	1,097
Annual Reports of Person Filed and Reviewed	1,095	990	1,352
Trials and Hearings:			
Bench Trials Held	18	15	17
Hearings Held	528	459	541
Hearings Generated by Trust Clerk	108	46	93
Show Cause Ordered to Appoint a Guardian	483	372	426
Show Cause Ordered Generated by Trust Clerk (termination, removal and appoint substitute guardian)	137	229	332

Source: Montgomery County Circuit Court Data Processing Department, *TRUSTATS*.

Problem Solving Court: Drug Court & Mental Health Court

	Drug Court	Mental Health Court
Participants Active at Any Point during FY21	102	18
Admitted to the program	17	5
Graduated/Successfully Completed	12	5
Terminated	10	0
Neutral Removals	3	1
Hearings Held	1,209	217
Hearings Held per Client	12 (11.9)	12 (12.1)

Source: Montgomery County Circuit Court Problem Solving Court

Family Division Services

	FY19	FY20	FY21
Individuals (Visits) Served by Family Law Self Help Center	9,822	7,080	8,172
Cases Ordered to Participate in Facilitation	525	399	73
Custody/Access Mediation			
Cases Set	239	180	280
Cases Held	148	89	174
Cases Fully or Partially Settled	99	58	100
Cases Ordered for Custody/Visitation Evaluations	334	118	369
Cases Ordered for Adoption Investigations and/or Reviews	106	24	73
Families Ordered to Participate in Supervised Visitation	65	53	48
Co-Parenting Classes			
Persons Ordered to Attend	2,197	1,497	1,867
Persons Completed the Class	1,571	1,003	749
Families Participated in Child Welfare Mediation	107	153	136

Source: Family Division Services, Montgomery County Circuit Court.

Assignment Office

Trials Set and Held, FY19-20

Case Type	Trials Set				Trials Held				% Held		
	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21
Civil*	1,111	1,283	1,475	33%	231	183	148	-36%	21%	14%	10%
Family	1,945	2,696	1,880	-3%	930	816	823	-12%	48%	30%	44%
Juvenile	1,575	1,401	880	-44%	90	70	129	43%	6%	5%	15%
Criminal	2,752	2,458	1,926	-30%	157	128	50	-68%	6%	5%	3%
Total	7,383	7,838	6,161	-17%	1,408	1,197	1,150	-18%	19%	15%	19%

* Register of Wills and liens cases are excluded from civil figures.

Sources: Montgomery County Circuit Court Data Processing Department, *Annual Statistical Report* (FY19 & FY20), *Key Figures Weekly Updates* (FY21).

Hearings Set and Held, FY19-20

Case Type	Trials Set				Trials Held				% Held		
	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21	FY19-21 %change	FY19	FY20	FY21
Civil*	7,907	9,243	8,827	12%	2,870	2,539	3,605	26%	36%	27%	41%
Family	21,443	24,686	19,878	-7%	14,032	13,767	11,398	-19%	65%	56%	57%
Juvenile	8,450	8,964	6,009	-29%	7,226	5,538	4,478	-38%	86%	62%	75%
Criminal	17,814	16,665	14,408	-19%	13,038	11,416	9,406	-28%	73%	69%	65%
Total	55,614	59,558	49,122	-12%	37,166	33,260	28,887	-22%	67%	56%	59%

* Register of Wills and liens cases are excluded from civil figures.

Sources: Montgomery County Circuit Court Data Processing Department, *Annual Statistical Report* (FY19 & FY20), *Key Figures Weekly Updates* (FY21).

Data Processing

Data Processing Department completed 706 Tier 1 through 5 service requests in FY21 (820 in FY20)